

03-0-0778

AN ORDINANCE

BY COUNCIL MEMBER DEBI STARNES

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-90(A) OF THE CITY OF ATLANTA CODE OF ORDINANCES BY DELETING THE CURRENT LANGUAGE OF SAID PROVISION AND INSERTING IN LIEU THEREOF NEW LANGUAGE TO REFLECT THE NAME CHANGE OF THE STREET FORMERLY KNOWN AS "HUNTER STREET" TO ITS CURRENT NAME OF "MARTIN LUTHER KING, JR. DRIVE"; TO EXTEND THE AREA OF PROPERTIES INCLUDED WITHIN THE CURRENT EXEMPTION FROM DISTANCE REQUIREMENTS FOR HOTELS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating the sale of alcoholic beverages within its city limits, and it has in place certain regulations which provide that distance requirements must be met in order to obtain a license to sell alcoholic beverages; and

WHEREAS, Georgia Tech is in the process of constructing Technology Square which will be an innovative multi-building complex of new facilities including: the DuPree College of Management, the Global Learning Center, the Economic Development Institute, the Georgia Tech Bookstore, the Center for Quality Growth and Regional Development, Retail Shopping and the Georgia Tech Hotel and Conference Center; and

WHEREAS, the Georgia Tech Hotel and Conference Center desires and intends to sell alcoholic beverages for on premises consumption within its premises; and

WHEREAS, Technology Square, including the Georgia Tech Hotel and Conference Center, is located within 600 feet of a college campus and within 600 feet of private residences; and

WHEREAS, the City of Atlanta Alcoholic Beverage Code currently provides that no license to sell alcoholic beverages for on premises consumption can be issued by the City of Atlanta for an establishment which is located within 600 feet of a college campus or residence; and

WHEREAS, the City of Atlanta's Alcoholic Beverage Code currently provides an exemption from distance requirements for hotels which are located within a certain geographically defined area of the City of Atlanta as fully described in Section 10-90(a) of the City of Atlanta Alcoholic Beverage Code; and

WHEREAS, the exemption for hotels found in Section 10-90(a) of the City of Atlanta Alcoholic Beverage Code does not include the property on which the Georgia Tech Hotel and

WHEREAS, the City of Atlanta desires to encourage opportunities for economic development and to amend the City of Atlanta Alcoholic Beverage Code to allow for the sale of alcoholic beverages for on premises consumption at the Georgia Tech Hotel and Conference Center; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That Chapter 10, Article II, Division 2, Section 10-90(a) of the City of Atlanta Code of Ordinances be amended to reflect the name change of the street formerly known as "Hunter Street" to "Martin Luther King, Jr. Drive" and to add an additional exemption to Section 10-90(a) so that Section 10-90(a) shall now read as follows:

(a) Any hotel, motel or motor inn having 150 or more rooms applying for a license for the sale of alcoholic beverages for consumption on the premises located within the following areas shall not be required to comply with the distance requirements set forth in section 10-88:

1. Beginning at the intersection of Piedmont Avenue and North Avenue; running thence westerly along North Avenue to its intersection with Spring Street; running thence in a southerly and southwesterly direction along Spring Street to its intersection with Trinity Avenue; running thence in an easterly and southeasterly direction along Trinity Avenue to its intersection with Pryor Street; running thence in a southwesterly and southerly direction along Pryor Street to its intersection with Georgia Avenue; running thence in an eastwardly direction along Georgia Avenue to its intersection with Fraser Street; running thence in a northerly direction along Fraser Street to its intersection with Memorial Drive; running thence in a westerly direction along Memorial Drive to its intersection with Washington Street; running thence in a northeasterly direction along Washington Street to its intersection with Martin Luther King, Jr. Drive; running thence in a southeasterly direction along Martin Luther King, Jr. Drive to its intersection with Piedmont Avenue; running thence in a northeasterly and northerly direction along Piedmont Avenue to its intersection with North Avenue, the point of beginning.
2. All that tract or parcel of land lying and being in part of Land Lot 80 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Beginning at an iron pin found located at the intersection of the southern right-of-way line of 5th Street (60 foot right-of-way) and the western right-of-way line of Spring Street (60 foot right-of-way); thence leaving in the southern right-of-way of 5th Street, run along the western right-of-way of Spring Street South 00° 43' 29" West a distance of 293.42 feet to an iron pin set; thence leaving the western right-of-way line of spring Street, run the following six (6) courses and distances: (1) North 88° 47' 33" West a distance of 243.71 feet to an iron pin set; (2) North 01° 12' 27" East a distance of 139.83 feet to an iron pin set; (3) North 77° 24' 54" East a distance of 57.57 feet to an iron pin set; (4) North 01° 12' 27" East a distance of 35.41 feet to an iron pin set; (5) North 88° 47' 33" West a distance of 69.32 feet to an iron pin set; and (6) North 01° 12' 27" East a distance of 95.67 feet to a point located on the southern right-of-way line of 5th Street; thence along the southern right-of-way line of 5th Street, run the following two (2) courses and distances: (1) South 88 degrees 21 minutes 54 seconds East a distance of 164.63 feet to an iron pin found; and (2) South 88° 47' 33" East a distance of 90.11 feet to an iron pin found located on the western right-of-way line of Spring Street, said iron pin found being the point of beginning.

Section 2. Should any ordinance or part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.